

## **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior listings of claims in the application:

1-31. (CANCELED)

32. (CURRENTLY AMENDED) A method to enhance fluorescence of at least one of a cyanine or indocyanine dye administrable to a patient for a photodiagnostic or phototherapeutic procedure, the method comprising:

combining the at least one cyanine or indocyanine dye and a biocompatible organic solvent at a concentration ranging from about 1% to about 50% solvent to result in a composition that is administered to a patient after the combining, wherein the fluorescence of the composition is enhanced over the fluorescence of the cyanine or indocyanine dye itself, wherein the biocompatible organic solvent is selected from the group consisting of dimethylsulfoxide, ethyl alcohol, isopropyl alcohol, glycerol, a polyol, hydrogenated starch hydrolysate (HSH), isomalt (palitinit), polyglycerol, maltodextrin, starches, polysaccharides, and combinations thereof.

33. (PREVIOUSLY PRESENTED) The method of claim 32 wherein the combining comprises combining a pharmaceutically acceptable formulation of the dye and the biocompatible organic solvent at a concentration ranging from about 1% to about 50% solvent.

34. (PREVIOUSLY PRESENTED) The method of claim 32 wherein, after the combining, the dye is dissolved or suspended in the biocompatible organic solvent.

35-44. (CANCELED)

45. (PREVIOUSLY PRESENTED) The method of claim 32 wherein the biocompatible organic solvent is dimethylsulfoxide.

46. (WITHDRAWN – PREVIOUSLY PRESENTED) The method of claim 32 wherein the biocompatible organic solvent is ethyl alcohol.

47. (WITHDRAWN – PREVIOUSLY PRESENTED) The method of claim 32 wherein the biocompatible organic solvent is isopropyl alcohol.

48. (WITHDRAWN – CURRENTLY AMENDED) The method of claim 32 where wherein the biocompatible organic solvent is glycerol.

49. (WITHDRAWN – PREVIOUSLY PRESENTED) The method of claim 32 wherein the biocompatible organic solvent is a polyol.

50. (WITHDRAWN – PREVIOUSLY PRESENTED) The method of claim 32 wherein the biocompatible organic solvent is polyglycerol.

51-52. (CANCELED)

53. (PREVIOUSLY PRESENTED) The method of claim 32, wherein the at least one cyanine or indocyanine dye comprises a hydrophobic core that forms aggregates in aqueous media.

54. (CURRENTLY AMENDED) The method of claim 32, wherein the combining comprises combining a pharmaceutically acceptable formulation of the at least one cyanine or indocyanine dye and the biocompatible organic solvent at a concentration ranging from about 1% to about 50% solvent.

55-57. (CANCELED)